

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**TORRENCE “LITTLE BOOSIE” HATCH;
LARRY ANDERSON; TYEON GIVENS; AND
NATHIA ENICE DANIELS AND PEYTON
NICOLE DANIELS, MINORS, BY AND
THROUGH THEIR PARENT AND NEXT
FRIEND, TYEON GIVENS**

PLAINTIFFS

VS.

CAUSE NO. 1:17-CV-307-HSO-JCG

**DILLARD’S, INC.; JIM WILSON &
ASSOCIATES, LLC; WEISER SECURITY
SERVICES, INC.; CITY OF BILOXI,
MISSISSIPPI; AND JOHN DOES 1–10**

DEFENDANTS

MOTION FOR PROTECTIVE ORDER

COME NOW the Plaintiffs, Torrence “Little Boosie” Hatch, Larry Anderson, and Tyeon Givens, by and through counsel, and file this their Motion for Protective Order, and in support of said motion would show unto the Court the following:

1. On October 17, 2017, the Plaintiffs filed a Complaint in the Circuit Court of Harrison County, Mississippi; both state and federal based claims were asserted in this Complaint. Subsequently, this action was removed to the United States District Court for the Southern District of Mississippi on October 24, 2017.

2. On January 17, 2019, the Plaintiffs reached a settlement of all claims as to the Defendants, Jim Wilson & Associates, LLC (“Jim Wilson”), Weiser Security

Services, Inc. (“Weiser Security”), and the City of Biloxi, Mississippi (“City of Biloxi”).

However, the Plaintiffs’ claims remain pending against the Defendant, Dillard’s, Inc.

As part of, and as consideration for, such settlement, it was agreed among the

settling parties that the amount, terms, and any accounting of such settlement would

be confidential and not subject to disclosure to any third parties. Further, the specifics

of such settlement were provided to the Court, memorialized on the Court’s record,

and placed under seal.

3. On January 23, 2019, an Order was entered by this Court dismissing from this action the Defendants, Jim Wilson, Weiser Security, and City of Biloxi.

(Document # 244).

4. On or about March 14, 2019, the Plaintiffs fully executed a Full and Final Release, Accord, Satisfaction and Acknowledgement of Settlement. Among other things, this document required the parties to maintain confidentiality as to the nature, amount, and any accounting relating to such settlement. Further, this document, by its terms, prohibited its disclosure or dissemination.

5. On April 19, 2019, a local newspaper, the *Sun Herald*, submitted to the City of Biloxi a Request to Inspect, Copy or Reproduce Public Records relating to the subject settlement. (See attached Exhibit “A”). In particular, the *Sun Herald* requested the “terms of January settlement with Torrence Hatch, Jr. in lawsuit filed against city, Dillard’s et al., including but not limited to the amount the city agreed to pay Hatch.”

6. The Plaintiffs are entitled to a Protective Order from this Court thereby preventing and otherwise directing the City of Biloxi, a party to this action, to refrain from copying or otherwise disclosing any aspect of the settlement agreement between the

parties, including, but not limited to, the amount, terms, or nature of the subject settlement. The Plaintiffs bargained for and expected to receive, as consideration for and part of their settlement agreement with the Defendants, an assurance that no aspect of the settlement agreement would be disclosed to third parties.

7. So that the Plaintiffs may obtain the benefit of their bargain with the settling Defendants, they are in need of a Protective Order from this Court declaring or directing the City of Biloxi to refrain from copying or otherwise disclosing to third parties, including the *Sun Herald*, any aspect of the settlement agreement between the parties to this action, including, but not limited to, the amount, terms, or nature of the subject settlement.

8. A Protective Order from this Court is also warranted in that the *Sun Herald* seeks, by and through its request, information from the City of Biloxi as such relates to the Defendants, Weiser Security and Jim Wilson. The *Sun Herald's* request for information is overly broad in that it requests disclosure of settlement information relating to non-governmental entities.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs, Torrence "Little Boosie" Hatch, Larry Anderson, and Tyeon Givens, respectfully request that this Court enter a Protective Order directing or commanding the City of Biloxi to refrain from copying or otherwise disclosing to third parties any aspect of the settlement agreement between the parties to this action, including, but not limited to, the amount, terms, or nature of the subject settlement. The Plaintiffs request all other relief which this Court deems appropriate under the circumstances.

Respectfully submitted this, the 1st day of May, 2019.

TORRENCE "LITTLE BOOSIE" HATCH,
LARRY ANDERSON, AND TYEON
GIVENS

BY: /s/Eduardo A. Flechas
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CERTIFICATE OF SERVICE

I, Eduardo A. Flechas, do hereby certify that I have this date filed a true and correct copy of the above and foregoing pleading with the Court's MEC/ECF system which sent electronic notice to all counsel of record.

This, the 1st day of May, 2019.

/s/ Eduardo A. Flechas
Eduardo A. Flechas